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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,660	08/02/2006	Yoshinobu Watanabe	10873.1937USWO	4525

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EXAMINER
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NGUYEN, HIEN NGOC

ART UNIT	PAPER NUMBER
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3768

MAIL DATE	DELIVERY MODE
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11/13/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,660	<b>Applicant(s)</b> WATANABE ET AL.	
	<b>Examiner</b> HIEN NGUYEN	<b>Art Unit</b> 3768	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 4,5 and 9-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-8 and 14-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

Applicant's amendments to claims 1-3, 6-8, 14-16 and cancellation of claims 4-5 are acknowledged and have been entered.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-8 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Cameron et al. (JP 2002-282251 (the abstract is provided in the IDS)).

Regarding claims 1, 6 and 14 Cameron discloses a remote ultrasonic diagnostic system with subject-sides apparatus comprises:

- an ultrasonic wave transmission/reception portion that transmits and receives ultrasonic wave; (see [0002] lines 1-6).
- an image generation portion that generates ultrasonic image data from an ultrasonic signal; (see [0002] lines 1-6).
- a cine memory that sequentially stores the ultrasonic signal; (see [0003] lines 4-8).

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- a displaying means that reproduces ultrasonic images from the cine memory; (see [0002] lines 12-14).
- a communication line interface that transmits the ultrasonic image data generated at the image generation portion to via a communication line and reproduces from the cine memory, the frame that is requested to be retransmitted by the examiner-side apparatus after freezing, and retransmits the frame to the examiner-side apparatus via the communication line; (see [0003] lines 1-13 and [0004] lines 1-9). The communication network disclosed by Cameron is a communication line. Cameron apparatus is capable of doing this because Cameron apparatus has communication line for retransmit and cine/cinema memory for sequentially store and buffer image data for transmitting to remote location. Cameron's apparatus has the structure and the hardware to buffer data and retransmit. Frame is a digital transmission unit so when the system sends a compress video data to the host one can interpret that as one frame block. Frame is also consider a packet and TCP/IP can send one packet at a time. TCP/IP can resend a packet. Cameron's apparatus use TCP/IP therefore it is capable of resending one frame to the host system.

Regarding claims 2, 7 and 15 Cameron discloses a remote ultrasonic diagnostic system with an examiner-side apparatus comprises:

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- an image formation portion that form an ultrasonic image using the ultrasonic image data or the retransmitted frame; (see [0026] lines 1-6 and 22-25). It is inherent that an image formation portion is in the system because the doctor able to view the receiving images or video images.

The image processor is an image formation portion.

- a displaying means that displays ultrasonic images; (see [0026] lines 1-6).
- a communication line interface that receives an ultrasonic image data that is transmitted via a communication line, and request a communication line interface of the subject-side apparatus to retransmit a frame to be reproduced so as to retransmit the frame via the communication line, every time after freezing when moving a pointer that designates the frame to be reproduced from a cine memory that sequentially stores an ultrasonic signal received by an ultrasonic wave transmission/reception portion of the subject-side apparatus per each frame; (see [0026]). The network connection discloses by Cameron is a communication line.

Cameron apparatus is capable of doing this because Cameron apparatus has communication line for request retransmit and cine/cinema memory for sequentially store and buffer image data coming in from the remote station. Video memory is the cine memory. Cameron's apparatus has the structure and the hardware to buffer data and receive retransmits data.

Frame is a digital transmission unit so when the system sends a compress video data to the host one can interpret that as one frame block. Frame is

also consider a packet and TCP/IP can send one packet at a time.

TCP/IP can resend a packet. Cameron's apparatus use TCP/IP therefore it is capable of resending one frame to the host system.

Regarding claims 3, 8 and 16 Cameron discloses a remote ultrasonic diagnostic system that has the subject side apparatus connected to the examiner-side apparatus via a communication line and the examiner-side apparatus comprises:

- an image formation portion that form ultrasonic image using the ultrasonic data or thee retransmitted frame; (see [0026] lines 1-6 and 22-25). It is inherent that an image formation portion is in the system because the doctor able to view the receiving images or video images. The image processor is an image formation portion.
- a displaying means that display ultrasonic images; (see [0026] lines 1-6).
- a communication line interface that receives an ultrasonic image data that is transmitted via a communication line, and request a communication line interface of the subject-side apparatus to retransmit a frame to be reproduced so as to retransmit the frame via the communication line, every time after freezing when moving a pointer that designates the frame to be reproduced from a cine memory that sequentially stores an ultrasonic signal received by an ultrasonic wave transmission/reception portion of the subject-side apparatus per each frame; (see [0026]). The network connection discloses by Cameron is a communication line.  
Cameron apparatus is capable of doing this because Cameron apparatus

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has communication line for retransmit and cine/cinema memory for sequentially store and buffer image data coming in from the remote station. Video memory is the cine memory. Cameron's apparatus has the structure and the hardware to buffer data and receive retransmits data.

Frame is a digital transmission unit so when the system sends a compress video data to the host one can interpret that as one frame block. Frame is also consider a packet and TCP/IP can send one packet at a time.

TCP/IP can resend a packet. Cameron's apparatus use TCP/IP therefore it is capable of resending one frame to the host system.

- a cine memory for sequentially storing the ultrasonic image data; (see [0027], lines 8-11 and abstract).

subject-side apparatus comprises:

- an ultrasonic wave transmission/reception portion for transmitting and receiving ultrasonic wave; (see [0002] lines 1-6).
- an image generation portion for generating ultrasonic image data from an ultrasonic signal; (see [0002] lines 1-6).
- a cine memory for sequentially storing the ultrasonic signal; (see [0003] lines 4-8).
- a communication line interface for transmitting of image data frame; (see [0004] lines 1-9). The communication network discloses by Cameron is a communication line.

- a display for displaying ultrasonic images from the cine memory; (see [0002] lines 12-14).

### ***Response to Arguments***

Applicant's arguments filed 07/14/2009 have been fully considered but they are not persuasive. Applicant argues Cameron fail to disclose a communication line interface that reproduces from a cine memory a frame that is requested to be retransmitted by an examiner-side apparatus after freezing, and retransmits the frame to the examiner-side apparatus via the communication line. Examiner disagrees because Cameron discloses this in paragraph [0003] lines 1-13 and [0004] lines 1-9. Please see the rejection section above for the detail discussion thereof.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any



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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HIEN NGUYEN whose telephone number is (571)270-7031. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le can be reached on (571)272-0823. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. N./

Examiner, Art Unit 3768

/Long V Le/

Supervisory Patent Examiner, Art Unit 3768